

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

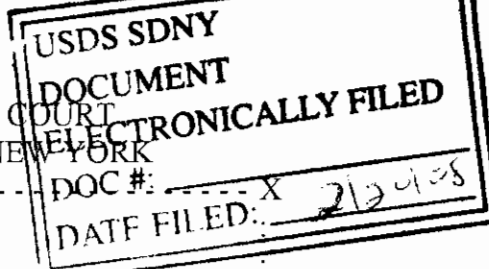
LAURA LITINSKY,

Plaintiff,

against

DIAMANTE THE DIAMOND
MANUFACTURERS, INC., RAFAEL
ZAKARIA, AND THE GEMOLOGICAL
INSTITUTE OF AMERICA,

Defendants.
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Docket No.: 07-cv-11475 (RJS)
(~~07-cv-11475~~) [ECF]

**ORDER TO SHOW CAUSE FOR
DEFAULT JUDGMENT**

UPON READING AND FILING of the accompanying Declaration of Joshua Ruthizer, sworn to February 13, 2008, the Verified Complaint in this action, filed December 21, 2007, the proposed default judgment, together with the exhibits attached to the afore mentioned documents, and upon all of the papers, pleadings and oral argument heretofore had herein,

**LET DEFENDANTS RAFAEL ZAKARIA AND DIAMANTE THE DIAMOND
MANUFACTURERS INC. SHOW CAUSE**, before Judge Richard J. Sullivan, Courtroom

✓ 21C, at the United States Courthouse located at 500 Pearl Street, New York, NY, on the 14th
MARCH
day of ~~February~~, 2008, at 9:30 am, or as soon thereafter as counsel may be heard, why an Order should not be made and entered:

- (a) for a Default Judgment against Defendants Diamante The Diamond Manufacturers, Inc. ("Diamante") and Rafael Zakaria ("Zakaria") on all allegations and causes of action made against them in the Verified Complaint in this action;
- (b) for a Declaratory Judgment that Plaintiff Laura Litinsky is the owner of the 5.02 carat oval cut brilliant F-VVS2 diamond subject of Gemological Institute of America ("GIA") Certificate 12011455 and GIA Certificate 16434784 (the "Diamond") and entitled to immediate and complete possession of the Diamond;

- (c) Directing GIA to transfer the Diamond to Mrs. Litinsky's complete and immediate possession; and
- (d) for such other and further relief as this Court may deem just, proper and necessary under the circumstances.

SUFFICIENT CAUSE BEING ALLEGED THEREFORE, IT IS HEREBY:

ORDERED that service of this Order to Show Cause, and the papers upon which it is based, upon Defendants Zakaria and Diamante at 550 South Hill Street # 1260, Los Angeles, California, 90013, on or before the 25th day of February, 2008 shall be deemed good and sufficient service;

IT IS FURTHER ORDERED that opposing papers, if any, are to be served upon Plaintiff's attorney Joshua Ruthizer of Proskauer Rose LLP, 1585 Broadway, New York, New York, 10036, so as to be received by 12:00 noon on the 4th day of ~~February~~ ^{MARCH}, 2008;

AND IT IS FURTHER ORDERED that reply papers, if any, shall be served upon Defendants' counsel, so as to be received not later than 3 p.m. on ~~February~~ ^{MARCH} 7, 2008.

Dated: February 15, 2008
New York, New York

ENTER:



Hon. Richard J. Sullivan
United States District Judge
Southern District of New York

2/19/08

